

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Social Welfare Department – Nizamabad District – Satyanarayanapuram village – Varni Mandal – Acquisition of land for an extent of Ac.7.20guntas for provision of house sited to the weaker section people – payment of Rs.19,18,596/- towards decretal charges in A.S.No.1444/99 against OP NO.5/95 – Permission accorded - Permission accorded - Orders Issued.

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SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No. 864

Dated:- 05.12.2008.

Read the following:-

1. From the District Collector, Nizamabad, Lr.No.G2/4098/2004, dated.09.02.2008.
2. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.Rc.No.LA2/1954/2008,dated:31.03.2008.

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O R D E R:-

The Commissioner of Social Welfare, A.P., Hyderabad, in his letter 2nd read above, while forwarding the proposals of the District Collector, Nizamabad, in his letter 1st read above, has requested the Government to release of an amount of Rs 19,18,596/- (Rupees nineteen lakhs eighteen thousand five hundred and ninety six only) towards decretal charges in AS No.1444/99 against OP.No.5/95 to comply with Court orders.

2. The Land Acquisition Officer has acquired the patta land for an extent of Ac.7.20gts situated at Satyanarayanapuram village of Varni Mandal of Nizamabad District for providing house sites to weaker section people. The LAO has fixed the market value at Rs.16,000/- per acre vide his ward proceedings No.B/12600/83, dated:08.04.1994. The awardees have received the land compensation under protest and requested to refer the matter to civil court under section 18 of the LA Act, for adjudication. As such, the LAO/RDO, Bodhan has referred the matter to Civil Court for adjudication. The Hon'ble Senior Civil Judge, Bodhan has passed the judgment and decree in OP No.5/95 on 19.06.1995 while enhancing the market value from Rs.16,000/- to Rs.36/- per Sq.Yard with 1/5th deduction and requested to pay the land compensation with all admissible benefits under LA Act. Aggrieved by the above orders of the Lower Court, the LAO/RDO, Bodhan has filed an appeal in the Hon'ble High Court of AP, Hyderabad. The Hon'ble High Court of AP., Hyderabad has granted interim stay in CMP.NO.13555/99 in AS No.1444/99, dated:08.11.1999, subject to depositing of half of the decretal charges by 7.01.2000. Accordingly, an amount of Rs.11,04,628/- was deposited in the Lower Court on 18.11.2001. The Hon'ble High Court of AP., Hyderabad in its judgment dated.17.03.2005 in AS NO.1444/99 has dismissed the appeal filed by LAO. The Government Pleader for appeals vide letter dated.28.11.2007 has opined that it is not fit case for appeal by way of SLP before the Hon'ble Supreme Court of India.

3. Government, after careful examination of the above proposal, and in consultation with Law and Finance Departments, hereby accord sanction for an amount of Rs 19,18,596/- (Rupees nineteen lakhs eighteen thousand five hundred and ninety six only)towards decretal charges in AS No.1444/99 against OP NO.5/95 to comply with Court orders, for the lands acquired for providing house sites to the weaker section people of Nizamabad District.

4. The expenditure sanctioned in para (3) above shall be debited to "2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections under Indiramma Programme - 310/312 – other Grant-in-aid" from the available provision during Budget Estimates 2008-09.

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5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Nizamabad, to comply with the Court orders.

6. The District Collector, Nizamabad, shall verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount, if any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order issued with the concurrence of Finance (Exp.SW) Department vide their U.O. No.27542/475/A1/Exp.SW/08, Dated:27.11.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, A.P., Hyderabad.,
The District Collector, Nizamabad.
Copy to:
The Director of Treasuries & Accounts, A.P. Hyderabad.
The Pay & Accounts Officer, Hyderabad.
The Accountant General, A.P., Hyderabad.
The Dist. Treasury Office, Nizamabad.
Finance (Exp.SW/BG) Department.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER